

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN DALE MAHLUM**, on January 21, 2003 at 9:02 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Dale Mahlum, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Vicki Cocchiarella (D)
Sen. Kelly Gebhardt (R)
Sen. Ken (Kim) Hansen (D)
Sen. Sam Kitzenberg (R)
Sen. Glenn Roush (D)
Sen. Don Ryan (D)
Sen. Carolyn Squires (D)

Members Excused: Sen. Bob Keenan (R)
Sen. Fred Thomas (R)

Members Absent: None.

Staff Present: Sherrie Handel, Committee Secretary
Eddie McClure, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SB 180, 1/9/2003
Executive Action: SB 108; SB 143; SB 180

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HEARING ON SB 180

Sponsor: SENATOR DON RYAN, SD 22, GREAT FALLS

Proponents: Beth Satre, Montana Coalition Against Domestic & Sexual Violence; Linda Gryczan, Montana Women's Lobby; Don Judge, Teamsters Local 190

Opponents: Webb Brown, Montana Chamber of Commerce

Opening Statement by Sponsor:

SEN. DON RYAN stated SB 180 is a bill which would allow for unemployment insurance for those victims of domestic abuse who have to quit their jobs or feel it necessary to leave their situation for the sake of safety. He shared that during the last legislature, a sunset was placed on the law, a two-year trial period which is what he was addressing today. **SEN. RYAN** explained the fiscal impact and said that in the past two years, \$19,236 has been paid to these victims. He also shared that two proposed amendments were being distributed to the committee along with a copy of the law, **EXHIBIT(bus12a01)** (SB01801.aem).

Proponents' Testimony:

Beth Satre, Montana Coalition Against Domestic and Sexual Violence, stated her organization was incorporated in 1986 and currently represents 43 domestic and sexual violence programs which work to end domestic and sexual violence with advocacy, public education, public policy and programs and stood in favor of SB 180. She explained that over 93 percent of victims of domestic violence are women and 97 percent of the perpetrators are men. Two reasons women stay in abusive situations are fear and economics; and, once a victim decides to leave, and the relationship is interrupted, it becomes the most dangerous time for the victim and her children. That is when most of the domestic violence murders occur. **Ms. Satre** asked why unemployment insurance for domestic violence survivors is such an important piece of the puzzle. The answer was that between a quarter and a half of survivors reported losing their jobs due, in part, to the violence in their lives. Because abusers want to maintain their control over the relationship, they want to keep their victim economically bound to them. Job loss and the threat of job loss prevent many battered women from escaping, so unemployment insurance is needed to help domestic violence survivors strive to maintain economic independence from their abusers. Temporary wage replacement helps battered women find and maintain safety for themselves and their children. They do that by allowing for the window that is available for

unemployment insurance benefits to women who lose their jobs due to domestic violence. Fourteen individuals in Montana used the benefits for reasons of domestic violence during the past two years for a cost of approximately \$1,340 each. That small amount of money allowed 14 women and their children to leave violent situations. She urged a do pass recommendation by the committee and provided written testimony, **EXHIBIT (bus12a02)**.

Linda Gryczan, Montana's Women's Lobby, addressed the legislature's voting to allow those women who quit or are fired from a job because of violence. Fourteen women in the last eighteen months have collected a little over \$19K, which has helped them have some measure of financial independence after leaving an abusive relationship. She praised the senators for helping these women and their children. She urged support of SB 180.

Don Judge, Teamsters Local 190, shared written testimony in support of SB 180, **EXHIBIT (bus12a03)**.

Opponents' Testimony:

Webb Brown, Montana Chamber of Commerce, said he hates domestic violence, but this is not the way to address domestic violence issues. Two years ago, his organization testified against the bill; and, although **SEN. VICKI COCCHIARELLA** grilled him heartily on the issue, the bottom line is the reasons remain the same for why they oppose the bill. He closed by saying that the committee knew who got the short straw.

Informational Testimony:

Kevin Braun, Department of Labor and Industry, said he was present to answer any questions from the committee.

Shawn Bubb, Montana State Unemployment Insurance Program, also offered his assistance to the committee.

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Questions from Committee Members and Responses:

SEN. KIM HANSEN asked about the fourteen women who claimed the unemployment benefits and if they were on welfare. **Ms. Satre** replied that she did not have those statistics, but she said they must have had sufficient base period earnings to at least draw the minimum amount of unemployment benefits.

SEN. NORM GEBHARDT inquired if the recipients put money in the fund or was it all coming from the employers. **Shawn Bubbs** replied in the affirmative and said individual accounts are not charged. It is socialized across the board so the individual employer is not hit directly. It is shared by the entire trust fund. **SEN. GEBHARDT** then wanted to know the annual amount of the whole fund. **Mr. Bubbs** answered that the trust fund balance as of December 31 was \$204M. **SEN. GEBHARDT** also wanted to know the annual contributions to the trust fund; however, those figures were not available.

SEN. CAROLYN SQUIRES asked **Mr. Braun** if a victim can receive food stamps and receive benefits as well, but still have a paying job, which **Mr. Braun** confirmed.

Closing by Sponsor:

SEN. RYAN thanked the chairman and members of the committee and said there were a couple of things he wanted to mention. Twenty four individuals applied for unemployment under this provision; however, ten of them did not receive benefits because they did not leave the abusive relationship. There is strict criteria these women have to follow to prove they have left the relationship. Of the 14 women who received benefits, the highest amount paid was \$286 per week, which proves that these women have some good-paying jobs to get close to the maximum allowed for unemployment benefits. There were also people at the bottom level just getting \$70 per week. The point was that they were working. The women are trying to do something and they can make the decision to leave the relationship if they receive just that little bit of help for ten weeks. He pointed out that the legislature would be giving them an opportunity to make that escape and to have some financial independence. **SEN. RYAN** said he couldn't imagine that if an employer were asked if he wanted a woman to stay in a violent situation in order to keep his premium from going up a dollar per year that the employer would say no. He stated that is what this bill is about. It's to prevent the tragedies that happen due to domestic violence. He encouraged a do pass recommendation from the committee.

EXECUTIVE ACTION ON SB 108

SEN. COCCHIARELLA moved **DO PASS** on SB 108 and the amendments, **EXHIBIT (bus12a04)** (SB010801.aem). The vote was unanimous.

EXECUTIVE ACTION ON SB 143

SEN. COCCHIARELLA moved **DO PASS** on SB 143 and the amendments, **EXHIBIT (bus12a05)** (SB014301.aem). The vote was unanimous.

EXECUTIVE ACTION ON SB 180

SEN. RYAN moved the amendment with **SEN. COCCHIARELLA** moving **DO PASS** on SB 180 as amended, (SB0180.aem). The vote was unanimous.

ADJOURNMENT

Adjournment: 10:17 A.M.

SEN. DALE MAHLUM, Chairman

SHERRIE HANDEL, Secretary

DM/SH

EXHIBIT (bus12aad)